

Notice of Allowability

Application No.

09/694,344

Applicant(s)

EJIRI, SEISHI

Examiner

Art Unit

Joseph R. Maniwang

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/26/06.
2. ☒ The allowed claim(s) is/are 18-47.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

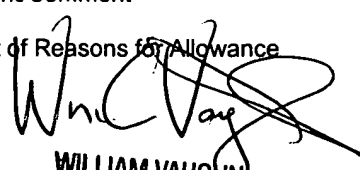
5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20060926.

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Attorney James Hwa (Reg. No. 42,680) on 09/26/06.
3. The application has been amended as follows:

Claims:

Claim 38:

A memory medium comprising:

a tangible computer readable medium storing computer readable code which when executed by a data processing apparatus performs the following method comprising:

a reception step of receiving data designated to a plurality of receivers, from a transmission side;

a notification step of notifying the plurality of receivers that said reception step received the data;

a transmission step of transmitting information representing a notification result by said notification step, to the transmission side from which the data received by said reception step was transmitted;

a selected step of selecting one of a first mode and a second mode; and

a determining step of determined whether a predetermined time has been reached or not,

wherein said transmission step, in the first mode, transmits one by one information representing the notification results corresponding to each of receivers by said notification step regardless of a determination by said determining step, and in the second mode, transmits collectively the information representing the notification results for the receivers by said notification step at the time when said determining step determines that the predetermined time has been reached.

Claim 39:

A memory medium according to claim 38, wherein, in a case where the first mode is selected by said selection step, said transmission step transmits the information representing the notification result for one receiver at one communication.

Claim 40:

A memory medium according to claim 38, wherein said notification step notifies the receivers which are designated by the transmission side that said reception step received the data.

Claim 41:

A memory medium according to claim 38, wherein a case where the notification by said notification step was successful is a state where the receiver can obtain the data.

Claim 42:

A memory medium comprising:

a tangible computer readable medium storing computer readable code which when executed by a data processing apparatus performs the following method comprising:

a reception step of receiving data designated to a receiver, from a transmission side;

a notification step of notifying the receiver that said reception step received the data;

a transmission step of transmitting information representing a notification result by said notification step, to the transmission side from which the data received by said reception step was transmitted;

a setting step of setting whether the transmission of the information representing the notification result by said transmission step based on an instruction by said data processing apparatus side is to be permitted or not,

wherein a setting result by said setting step is notified to the transmission side,
and

wherein said transmission step does not transmit the information representing the notification result until said reception step receives a request from the transmission side from which the data received by said reception step was transmitted in a case where said setting step sets the transmission is not to be permitted, and transmits the information representing the notification result even without the request from the transmission side in a case where said setting step sets the transmission is to be permitted.

Claim 43:

A memory medium according to claim 42, wherein said setting step sets one of a first mode and a second mode and said transmission step performs the transmission in accordance with the mode set by said setting step.

Claim 44:

A memory medium according to claim 43, wherein in the first mode said transmission step transmits one by one the information representing the notification results for a plurality of receivers by said notification step by plural-time communications, and in the second mode said transmission step transmits collectively the information representing the notification results for a plurality of receivers by said notification step by one-time communication.

Claim 45:

A memory medium according to claim 42, wherein said transmission step generates a call on the basis of destination information included in the data received by said reception step.

Claim 46:

A memory medium according to claim 42, wherein said notification step notifies the receiver which is designated by the transmission side that said reception step received the data.

Claim 47:

A memory medium according to claim 42, wherein a case where the notification by said notification step was successful is a state where the receiver can obtain the data.

Allowable Subject Matter

4. Claims 18-47 are allowed.
5. The following is an examiner's statement of reasons for allowance:
6. The closest prior art is Gordon et al. (U.S. Pat. No. 5,459,584), hereinafter referred to as Gordon. Gordon disclosed a method and system comprising a reception unit adapted to receive data designated to a plurality of receivers, from a transmission

Art Unit: 2144

side (see column 6, lines 31-37); a notification unit adapted to notify the plurality of receivers that said reception unit received the data (see column 4, lines 60-63); a transmission unit adapted to transmit information representing a notification result by said notification unit, to the transmission side from which the data received by said reception unit was transmitted (see column 3, lines 18-22; column 5, lines 58-64; column 8, lines 54-59; column 8, line 66 through column 9, line 12; column 15, lines 16-25; column 20, lines 18-30); a selection unit adapted to select one of a first mode and a second mode (see column 10, lines 10-16, 27-34); and a determining unit adapted to determine whether a predetermined time has been reached or not (see column 9, lines 13-40).

7. The prior art references of record do not teach alone or in combination all the limitations together within the independent claims 18, 22, 28, 32, 38, and 42. For example, independent claims 18, 28, and 38 contain the limitation wherein said transmission unit, in the first mode, transmits one by one information representing the notification results corresponding to each of receivers by said notification unit regardless of a determination by said determining unit, and in the second mode, transmits collectively the information representing the notification results for the receivers by said notification unit at the time when said determining unit determines that the predetermined time has been reached, and independent claims 22, 32, and 42 contain the limitation of a setting unit adapted to set whether the transmission of the information representing the notification result by said transmission unit based on an instruction by said data processing apparatus side is to be permitted or not, wherein a setting result by

said setting unit is notified to the transmission side, and wherein said transmission unit does not transmit the information representing the notification result until said reception unit receives a request from the transmission side from which the data received by said reception unit was transmitted in a case where said setting unit sets the transmission is not to be permitted, and transmits the information representing the notification result even without the request from the transmission side in a case where said setting unit set the transmission is to be permitted. Gordon does not teach transmission "one by one" in the claimed first mode. Gordon further does not teach any setting feature to set whether transmission of the information representing the notification result is to be permitted or not. Therefore, the independent claims have allowable subject matter and are allowable over the prior art of record. The dependent claims of these claims are also allowable.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

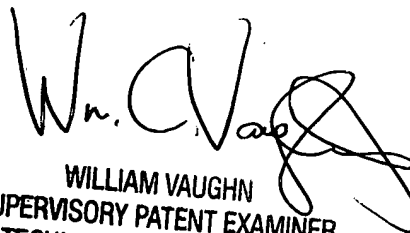
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100